APn 28-Mar-94 23:20
King Assassination

Copyright 1994 The Associated Press. All rights reserved.

The information contained in this news report may not be republished or redistributed without the prior written authority of The Associated Press.

MEMPHIS, Tenn. (AP) -- A woman who says she saw an armed man near the scene of Martin Luther King Jr.'s murder gave a conflicting report to state investigators last January, a prosecutor said Monday.

In a court affidavit filed for King's assassin, James Earl Ray, Betty Spates said she saw her former boss, Loyd Jowers, with a rifle at Jim's Grill shortly after King was killed. Authorities say Ray shot King from Jim's Grill.

But John Pierotti, the state prosecutor in Memphis, said that in January Ms. Spates told investigators she wasn't at the restaurant on April 4, 1968, the day of King's murder.

Ray's lawyers are trying to get him a new trial; a hearing is set for April 6 on his petition. He pleaded guilty in 1969 to shooting King, but has tried often since then to recant that confession.

Jim's Grill is near The Lorraine Motel, where King was shot as he stood on a balcony. Ms. Spates worked at Jim's Grill in 1968.

Ray's lawyers contend she and Jowers, who owned the restaurant, have new information on King's slaying. But Pierotti said Ray's legal claims have all been heard before.

In December, Jowers said on ABC-TV's "PrimeTime Live" that he hired King's killer and that it was not Ray. He said he would name the gunman if he was offered immunity from prosecution, but prosecutors refused the offer.

Pierotti said his staff has found no evidence to support Jowers' claim, and he has rejected calls for a grand jury investigation into them.

Ms. Spates' affidavit, filed Friday with the Shelby County Criminal Court, says Jowers rushed into the restaurant carrying a rifle. "He was white as a ghost and very excited. He looked like a wild man," she said.